## SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

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VALEKO ENEKGY, LTD.	Š	
Plaintiff/Garnishor	§	
	§	
	§	
v.	§	
	§	
	§	
CLYDE BERGEMANN US, INC.,	§	
AND CLYDE BERGEMANN POWER	§	
GROUP AMERICAS, LLC, F/K/A CLYDE	§	Civil Action No:
BERGEMANN POWER GROUP	§	
AMERICAS, INC.	§	[Related Case No. 4-21-cv-02034]
Defendants/Judgment Debtors	§	•
	§	
and	§	
	§	
	§	
WELLS FARGO BANK, N.A.	§	
Garnishee	§	

## ORDER FOR ISSUANCE OF WRIT OF GARNISHMENT

Before the Court is an Application for Writ of Garnishment filed by Garnishor Valero Energy, Ltd. (Doc. 1.) Valero Energy, Ltd. is the owner and holder of the Amended Judgment entered by the United States District Court for the Southern District of Texas against Clyde Bergemann US, Inc. and Clyde Bergemann Power Group Americas, LLC, formerly known as Clyde Bergemann Power Group Americas, Inc. on July 22, 2021 (the "Judgment"). See Doc. 1-1. The application of Valero Energy, Ltd. ("Garnishor") is supported by an Affidavit for Writ of Garnishment After Judgment. See Doc. 1-2.

After considering the pleadings and other papers on file with the Court, the Court finds and concludes that the Garnishor is entitled to a Writ of Garnishment as requested, for the reason that this Court entered a Judgment against Clyde Bergemann US, Inc., and Clyde Bergemann Power Group Americas, LLC, formerly known as Clyde Bergemann Power Group Americas, Inc. (the "Judgment Debtors").

Within Garnishor's knowledge, the Judgment Debtors do not possess property in Texas

subject to execution that is sufficient to satisfy the Judgment. Garnishor has reason to believe, and does believe, that Wells Fargo Bank, N.A. ("Garnishee") is holding property, namely funds, which belong to the Judgment Debtors. Garnishor has reason to believe, and does believe, that Garnishee is indebted to the Judgment Debtors by reason of one or more bank accounts in the name of the Judgment Debtors. There is no evidence that any supsedeas bond has been approved and filed.

The Court, therefore, concludes that Garnishor's Application for Writ of Garnishment (Doc. 1) meets the requirements for a writ of garnishment under Texas law and Federal Rule of Civil Procedure 69.

IT IS, THEREFORE, ORDERED as follows:

- 1. That Valero Energy, Ltd.'s Application for Writ of Garnishment (Doc. 1) be, and the same hereby is, GRANTED;
- 2. That the clerk SHALL ISSUE the Writ of Garnishment (Doc. 1-3) that commands Wells Fargo Bank, N.A., which may be served with process by serving it registered agentCorporation Service Company dba CSC Lawyers Incorporating Service Company at 211 East 7<sup>th</sup> Street, Suite 620, Austin, Texas 78701, as Garnishee, to appear as required by law and answer under oath what property the Garnishee has of the Judgment Debtors, and where that property was when the writ was served, and what other persons, if any, within Garnishee's knowledge, have effects of the Judgment Debtors;
- 3. That the maximum value of property or indebtedness that may be garnished not exceed the amounts awarded in the Judgment; and
- 4. That upon service of the Writ of Garnishment upon Garnishee, Valero Energy, Ltd. shall serve notice of the garnishment upon Judgment Debtors, pursuant to applicable law.

SIGNED at Houston, Texas on this, the	day of January, 2022.
KEITH P.	ELLISON
UNITEDS	STATES DISTRICT JUDGE